

REMARKS

This is a full and timely response to the outstanding final Office Action mailed January 17, 2006. Claims 1-17 are preliminarily rejected under 35 USC§103(a) as being unpatentable. The Applicants traverse the rejections to claims 1-17. Reconsideration and allowance of the subject application and presently pending claims 1-17 is respectfully requested.

I. EXAMINER INTERVIEW

Examiner Lam was kind enough to grant an examiner interview on April 6, 2006. The interview was conducted through conference call between Examiner Lam, Jeff Gilling, and Attorney Todd Sullivan and ran just over 30 minutes. During the interview, Mr. Gilling explained the difference between a contact rotary joint (as claimed and as shown in prior art FIG. 1 and FIG. 2) and a non-contact rotary joint (as described in prior art FIG. 10 and as taught in Treczka, et al.). Specifically, Mr. Gilling explained why one having ordinary skill in the art would not combine the references. Particularly, one would not use the non-contact rotary joint to improve the contact element, the journal, in the contact rotary joint.

Examiner Lam maintained his opinion that all of the elements in the claims are taught by the background of the application and/or Treczka, et al. and as the technology is all within the rotary joint field, he is unconvinced they could not be combined. A claim amendment was suggested to amend the circularly shaped segments to be semi-circular segments. As discussed in the interview, this claim limitation is at least taught in FIG. 4 and on page 11 of the original-filed application.

Specifically, reference numbers 20a and 20b are semi-circular segments having an air gap 21 positioned therebetween. Attorney Sullivan stated that if this limitation overcame the rejection, it would be worth proceeding with an RCE. When asked, Examiner Lam stated the proposed amendment would overcome the combination of the background in the application and Treczka, et al.

II. Rejections

Claims 1-17 all contain the "semi-circular segments" limitation. As we agreed during the examiner interview, this limitation overcomes the present rejections based on the references cited in the final office action. Therefore, the Applicants respectfully request withdrawal of the present rejections and allowance of the pending claims.

HAYES SOLOWAY P.C.

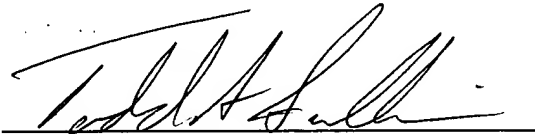
130 W. CUSHING ST.
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, the Applicants respectfully submit that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1-17 are in condition for allowance. Claims 18-23 have been withdrawn. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. If in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (603) 668-1400.

Respectfully submitted,



Todd A. Sullivan
Attorney for Applicants
Reg. No. 47,117

Customer No. 26,812

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 13, 2006 at Manchester, New Hampshire.

By: 

HAYES SOLOWAY P.C.
130 W. CUSHING ST.
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567